By _____ H.B. No. 1418

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Water Rights Commission to issue emergency permits for the diversion and use of water; amending the Revised Civil Statutes of Texas, 1925, as amended, to add Article 7467d; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The Revised Civil Statutes of Texas, 1925, as amended, are amended to add a new Article 7467d to read as follows:

"Article 7467d. EMERGENCY PERMITS.

"(a) As part of its administrative authority, the Texas Water Rights Commission may grant an emergency permit for the diversion and use of water for a period of not more than 30 days if it finds that emergency conditions exist which threaten the public health, safety, and welfare and which override the necessity to comply with established statutory procedures.

"(b) An emergency permit may be granted for a period of not more than 30 days and no extension or additional emergency permit may be granted at the expiration of the original permit.

"(c) An emergency permit may be granted under this article without the necessity to comply with statutory and other procedures required for granting other permits issued by the commission.

"(d) The commission may prescribe rules and regulations and adopt fees which are necessary to carry out the provisions of this article.

"(e) An emergency permit does not vest in the permittee any right to the diversion and use of water and shall expire and be cancelled in accordance with its terms."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

2-1167
SHH

FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date April 20, 1971,

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Conservation + Reclamation, to whom was referred H.B. No. 1418, have had the same under consideration and beg to report back with recommendation that it { do / ~~do not~~ } pass, and be printed

The Bill was reported from Committee by the following vote:
Unanimous voice vote ✓
Majority voice vote
Vote of _____ ayes and _____ nays.

Chairman.

(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is changed to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be a changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

SECOND PRINTING April 22, 1971 Official House Printing, 62nd. Leg.

By: Clayton H. B. No. 1418

(In the House.--Filed March 11, 1971; March 24, 1971, read first time and referred to Committee on Conservation and Reclamation: April 22, 1971, reported favorably by a unanimous voice vote, sent to Printer.)

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COMMITTEE REPORT

COMMITTEE ROOM
Austin, Texas, April 20, 1971

Hon. G. F. (Gus) Mutscher, Speaker of the House of Representatives.

SIR: We, your Committee on Conservation and Reclamation, to whom was referred H. B. No. 1418, have had the same under consideration and beg to report back with recommendation that it do pass, and be printed.

John Allen, Chairman

2-1167
SHH

BILL ANALYSIS

Background Information:

Amends Revised Civil Statutes of Texas, 1925 by adding Article 7467d. The Texas Water Resources Study Committee recommended adoption of a law which authorizes the Texas Water Rights Commission, as part of its administrative authority, to approve emergency permits for the diversion and use of water for a period of up to 30 days when the Commission determines that emergency conditions exist which override the necessity to comply with the established statutory procedures.

What the Bill Proposes to do:

To grant the Texas Water Rights Commission the authority to issue emergency permits for the diversion and use of water.

Section by Section Analysis:

Section 1. Amends Revised Civil Statutes of Texas, 1925 by adding Article 7467d. Grants the Texas Water Rights Commission the authority to issue emergency permits for the diversion and use of water. Prescribes length of the permits and rules related to the permits.

Sec. 2. Emergency Clause.

Summary of Committee Action:

The bill passed by a unanimous voice vote.

By: Clayton H.B. No. 1418

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Austin, Texas

May 17, 19 71

Hon. Ben Barnes
President of the Senate

Sir:

We, your Committee on Water and Conservation, to which was referred H. B. No. 1418, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do _____ pass _____ and be _____ printed.

Chairman Creighton

ENROLLED

H.B. No. 1418

AN ACT

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Lieutenant Governor President of the Senate	Speaker of the House

I hereby certify that H.B. No. 1418 was passed by the House on April 29, 1971, by the following vote: Yeas 146, Nays 0.

Chief Clerk of the House

H.B. No. 1418

I hereby certify that H.B. No. 1418 was passed by the Senate on May 20, 1971, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: 5-27-71
Date

Signed
Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
9:00 AM O'CLOCK

MAY 28 1971

Secretary of State

H.B. No. 1418 By Clayton

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FILED MAR 11 1971

READ 1st TIME AND REFERRED TO COMMITTEE ON Conservation & Reclamation MAR 24 1971

APR 22 1971 REPORTED FAVORABLY SENT TO PRINTER

RECEIVED APR 23 1971 HOUSE OF REPRESENTATIVES

DELIVERED APR 23 1971 HOUSE OF REPRESENTATIVES

PRINTED, DISTRIBUTED AND REFERRED TO COMMITTEE ON RULES 11:00 A.M. (Time) APR 23 1971 (Date)

APR 29 1971

Motion to suspend all necessary rules to consider, prevailed by — vote. non-record

Dorothy Hallman
Chief Clerk, House of Representatives

APR 29 1971 READ SECOND

TIME _____ AND

ORDERED _____ ENGROSSED by non record vote

Dorothy Hallman

APR 29 1971 Read third time

and Passed

by following vote yeas 146

Nays 0

Dorothy Hallman
Chief Clerk
HOUSE OF REPRESENTATIVES

APR 29 1971

MOTION TO RECONSIDER THE VOTE BY WHICH H.B. 1418 WAS ~~ADOPTED~~ PASSED AND TO TABLE THE MOTION TO RECONSIDER PREVAILED ~~PRESSED~~ BY A non-record VOTE OF ~~AYES~~ ~~NOES~~

Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES

APR 29 1971 SENT TO ENGROSSING CLERK

1418

By: Clayton

H.B. No. 1418 C

A BILL TO BE ENTITLED

AN ACT

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3-11-71 Filed.

3-24-71 Read first time and referred to Committee on Conservation and Reclamation.

4-22-71 Reported favorably, sent to printer.

4-23-71 Printed, distributed and referred to Committee on Rules at 11:00 a.m.

4-29-71 Motion to suspend all necessary rules to consider prevailed by a non-record vote.

4-29-71 Read second time and ordered engrossed by a non-record vote.

4-29-71 Read third time and passed by the following vote: Yeas 146, Nays 0.

Dorothy Hallman
Chief Clerk, H. of R.

4-29-71 Sent to Engrossing Clerk.

4-29-71 Engrossed.

Engrossing Clerk, H. of R.

APR 30 1971 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE

APR 30 1971 Received from the House

MAY 3 1971 Read, referred to Committee on Water and Conservation

MAY 17 1971 Reported favorably.

_____ Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ Ordered not printed.

_____ Regular order of business suspended by

(unanimous consent.

(_____ yeas, _____ nays.

_____ To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

MAY 20 1971 Read second time _____ ~~and~~ passed to third reading.

_____ Caption ordered amended to conform to body of bill.

MAY 20 1971 Senate and Constitutional 3-Day Rules suspended by vote of 31 yeas, 0 nays to place bill on third reading and final passage.

MAY 20 1971 Read third time and passed by

(~~a viva voce vote~~.

(31 yeas, 0 nays.

OTHER ACTION:

Charles Schnabel

Secretary of the Senate

RETURNED FROM SENATE

MAY 20 1971

MAY 20 1971 Returned to HOUSE

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 20 1971 SENT TO ENROLLING CLERK

Water

MAY 26 1971